

# UNITE HERE Fund Administrators

An Affiliate of Amalgamated Life

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DOC #:
DATE FILED: JAN 04 2008

VIA FACSIMILE (212) 805-6304

Honorable Paul A. Crotty  
 United States District Judge  
 Southern District of New York  
 United States Courthouse  
 500 Pearl Street  
 New York, New York 10003

January 3, 2008

UNITE HERE Fund Administrators, Inc.

730 Broadway  
 New York, NY 10003-9511  
 212-539-5000  
 fax: 212-387-0710

January 4, 2008  
 Plaintiff has until Monday  
 January 14, 2008 to amend its complaint.  
 Otherwise it will be dismissed for  
 lack of prosecution. So ordered  
 David C. Sapp (DS) U.S.D.S.

Re: UNITE HERE National Health Fund, et al. -v.- Michael Stuart Design  
Ltd.--- 07-CV-6770 (PC)

Dear Judge Crotty:

We represent the plaintiffs in the above-referenced action to enforce the provisions of a collective bargaining agreement pursuant to Section 515 of ERISA. We are writing to advise the Court of the status of this action, which was filed on July 27, 2007.

After commencement of the action, the parties engaged in extended negotiations to resolve the claims asserted in the action. The parties recently entered into a signed settlement agreement. Defendant has failed to comply with the terms of the agreement and is currently in default. Consequently, plaintiffs anticipate amending the complaint to include additional claims and then prosecute the action to judgment.

The Court's considerations are appreciated.

Respectfully submitted,



David C. Sapp (DS5781)

cc: Michael Stuart Design, Ltd.

MEMO ENDORSED